

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. CR-11-109-M
)
FARIDEH HEIDARPOUR,)
a/k/a Faraday Heidarpour,)
a/k/a Faraday Pour;)
ALI HEIDARPOUR; and)
A.B.C. BILLING, INC.,)
)
Defendants.)

ORDER

Before the Court is Defendants' Motion with Brief in Support to Exclude Testimony and Evidence of Government Witness Charles Holland, filed June 1, 2012. The government's response was filed on June 11, 2012, and defendants' reply was filed on June 18, 2012. Defendants request that the Court strike government expert witness Charles Holland's testimony and evidence or in the alternative, for a continuance of the August, 2012 trial to allow analysis of Mr. Holland's produced materials as well as materials that have not yet been produced and for possible disclosure of a rebuttal expert witness and/or supplementation of defendants' previous expert disclosure.

Having reviewed the parties' submissions, the Court finds that the government initially provided both Mr. Holland's grand jury transcript and his preliminary expert report dated April 6, 2011 to defendants on October 31, 2011. (Exhibit A - Government's Response to Motion to Exclude). On April 21, 2011, the government provided the financial documents Mr. Holland relied upon with respect to the money laundering charges. Specifically, the government disclosed treasury checks, remittance vouchers, and HCFA-1500 claim forms. (Exhibit 5, Defendants' Motion to

Exclude). On January 3, 2012, in accordance with the Court's Amended Scheduling Order, the government provided defendants Mr. Holland's curriculum vita and a final version of his written summary report fully describing his opinions, the bases and reasons for those opinions and his qualifications. (Exhibit B - Government's response to defendants' motion to exclude). On May 23, 2012, the government produced several spreadsheets prepared by government medical file reviewers that identify the specific claims upon which Mr. Holland relied in his money laundering calculations.

In light of the numerous disclosures made by the government over the past thirteen (13) months, the Court DENIES defendants' request to exclude the testimony and evidence of government witness Charles Holland in this case. Additionally, the Court finds defendants' untimely request for leave of Court to possibly disclose a rebuttal expert witness and/or supplementation of defendants' previous expert disclosure, in the interest of justice, should be granted. Defendants' Motion with Brief in Support to Exclude testimony and Evidence of Government Witness Charles Holland [docket no. 75] is therefore DENIED in part and GRANTED in part. Defendants are to disclose to the government any rebuttal expert witness and or supplementation of their previous expert disclosure no later than 12:00 noon on July 2, 2012.

IT IS SO ORDERED this 22nd day of June, 2012.



VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE